

Members

Sen. Marvin Riegsecker, Chairperson
Sen. Rose Antich-Carr
Rep. Troy Woodruff
Rep. Sheila Klinker
Sylvia Marie Brantley
Christopher Durcholz
Daniel R. Harshman
Suda Hopkins
Sally Lowery
Scott MacGregor
Betty Williams
Darin Yoder



COMMISSION ON MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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MEETING MINUTES¹

Meeting Date: September 29, 2005
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Marvin Riegsecker, Chairperson; Sen. Rose Antich-Carr; Rep. Sheila Klinker; Sylvia Marie Brantley; Christopher Durcholz; Daniel R. Harshman; Suda Hopkins; Sally Lowery; Scott MacGregor; Betty Williams; Darin Yoder.

Members Absent: Rep. Troy Woodruff.

I. Call to Order

Senator Riegsecker called the meeting to order at 1:40 p.m.

II. People-First Language - Presentation by Ms. Betty Williams and Ms. Kim Dodson, Director of Government Relations and Development, ARC of Indiana

Ms. Williams and Ms. Dodson presented information to the Commission pertaining to the national trend of movement toward the use of "people-first" language. People-first language refers to the use of respectful terminology when discussing persons with MR/DD. Ms. Williams and Ms. Dodson presented a proposed resolution to the Commission, endorsed by Senator Riegsecker, which urges the Legislative Council to assign the topic of requiring the use of people-first or respectful language to a committee for further study (Exhibit 1).

Mr. Yoder asked how this would affect the name of the Commission. Ms. Dodson replied that 80% of people don't like MR, they prefer DD. However, the use of DD is being assessed as

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

well. ARC of Indiana will be sending out a questionnaire and holding family forums to address whether or not the term DD is preferred to cognitive disabled. Ms. Dodson stated that she would present information collected at the family forums at the next MRDD Commission meeting.

III. First Steps Stakeholder Group Update - Presentation by Ms. Lora Miller, Director, First Steps

Ms. Miller reported to the Commission that the First Steps Stakeholder Group held its final meeting on September 19th. The group voted to disband at that time. Final recommendations of the group dealt with insurance and service coordination issues.

Senator Riegsecker asked Ms. Miller if she would be providing the Commission with language for proposed legislation by the next meeting. Ms. Miller responded that she would and that language had already been prepared.

IV. INARF Provider Report/Reimbursement Issues - Presentation by Mr. Jim Hammond, President, INARF

Mr. Hammond presented information to the Commission pertaining to regulatory reform/waiver reform and strategies for success. He included changes and challenges that the current administration is experiencing. Mr. Hammond reported that on August 12, INARF joined Secretary Roob and Governor Daniels in announcing changes in the way the waiver program is planned, delivered, and reimbursed. Since that time, INARF has focused on two key areas: regulatory reform and supporting the first step of converting the current Medicaid waiver system to daily rates and annual contracts. Furthermore, he stated that the regulatory reform includes five key steps: level of care, hours of care, reimbursement reform, establishing deemed status for the Commission for Accreditation of Rehabilitation Facilities (CARF), and developing formal protocol for Family and Social Services Administration audits.

Mr. Hammond also reported on areas of potential savings. Some of those included a quality assessment fee which would maximize federal Medicaid dollars and permit more people to be served on the Support Services Waiver; provider consolidation/preferred provider which would assist in efforts to reduce or restructure Ft. Wayne State Developmental Center; and addressing high-cost persons through use of a waiver before others.

Mr. Hammond discussed several other steps that INARF feels must be initiated in order to sustain families. First, announce steps to address individuals on the waiting list. Second, aggressively work to complete reimbursement reform by January 2007. Third, ensure that there is recognition of the contributions of the direct support professionals who provide essential services to people enrolled in the waiver programs and in community programs. Fourth, prioritize employment and employment-related services so that all Hoosiers with disabilities have access to quality jobs.

V. Contract Renewal Update - Presentation by Mr. Peter Bisbecos, Director of Division of Disability and Rehabilitative Services; David Gootee, Deputy Director of Division of Disability and Rehabilitative Services

Mr. Bisbecos and Mr. Gootee reported to the Commission the steps the Division has taken thus far to notify providers, case managers, and families of changes that are being made to the contract billing process for waivers. Mr. Bisbecos provided the Commission with a copy of the letter sent to all waiver providers (Exhibit 2). The Division is shifting from a quarter-hour billing method to a daily rate which would allot each client a set amount of funding each year based off of total services provided during the prior year. Both reported that there is a bit of

concern and anxiety by providers, case managers, and families regarding the changes; however, this is to be expected with systemic change occurring. The Division is attempting to answer all questions and to calm any concerns. Mr. Gootee reported that the Division is in the process of holding 15 informational meetings across the state. Furthermore, some of the negatives that have come out of the meetings thus far have been concerns about change, non-trust in the administration, misinformation, disbelief in the simplicity of the system, and audit concerns. Some of the positives found have included the realization that people have opportunities to save, and that reductions will eventually equal added opportunities.

Mr. Bisbecos stated that he would be happy to provide the Commission with a final update on the contract renewal at the next Commission meeting.

VI. Olmstead Update - Presentation by Mr. Peter Bisbecos, Director, Division of Disability and Rehabilitative Services

Mr. Bisbecos provided information to the Commission about Olmstead and the role it plays or has played in service administration for clientele. Mr. Bisbecos stated that under Olmstead, persons must be placed in the least restrictive environment to meet their needs as well as their wants. He reported that Muscatatuck was successfully closed and that it was completed through use of a dissent decree which disallowed the Division from moving persons without consent. In addition, he reported that the Division provides services in a variety of community placements, ranging from the Support Services waiver to group homes, and that as long as space is available a person is able to make their own choice as to where they would like to receive services. Finally, Mr. Bisbecos indicated that the Division is attempting to address the issue of the waiver waiting lists in order to accommodate as many people as possible. One way in which it is doing so is in trying to be more cost-efficient and using savings to serve larger numbers of people.

VII. 317 Plan Update - Presentation by Mr. Peter Bisbecos, Director, Division of Disability and Rehabilitative Services

Mr. Bisbecos provided the Commission with comments pertaining to the Division of Disability and Rehabilitative Services's current plans in light of the recommendations from the 317 Task Force. Mr. Bisbecos addressed five key areas: (1) implement and improve person-centered planning and person-centered funding designs for all persons with developmental disabilities served by FSSA; (2) redirect funding away from congregate settings to integrated, residential day services, and to employment settings based on choices of individuals and families and principles of person-centered planning; (3) assure and improve the quality of services delivered to individuals with developmental disabilities; (4) build the community capacity to provide individualized and person-centered services in typical community settings across Indiana; and (5) secure financial resources to respond to the demand for services of persons with developmental disabilities and their families. Mr. Bisbecos also provided the Commission with a statement in answer to concerns regarding the Division's approach to housemates, which had been discussed at prior Commission meetings (Exhibit 3).

Commission members were provided a copy of the original 317 Plan by Legislative Services Agency staff, as was requested by the Chair, Senator Riegsecker (Exhibit 4).

VIII. Other Business

The next meeting of the Commission will be held on October 25, 2005, at 1:30 p.m. in Room 233 of the Statehouse.

VIII. Adjournment

There being no further business, the meeting was adjourned at 3:45 p.m.